EL DORADO COUNTY BOARD OF SUPERVISORS AGENDA ITEM TRANSMITTAL Meeting of September 12, 2006

| AGENDA TITLE: Oakleaf Circle Road Zone of Benefit #13 Road Maintenance and Repair Funding Agreement | | | | |
|--|--------|--|--|--|
| DEPARTMENT: Transportation | DEPT, | CAO USE ONLY: | | |
| CONTACT: Tom Celio | RH | Are | | |
| DATE: 8/25/06 PHONE: 4905 | fer | helger (- Vog | | |
| DEPARTMENT SUMMARY AND REQUESTED BO | ARD A | CTION: | | |
| The El Dorado County Department of Transportation recom | | | | |
| approve and authorize the Chairman to sign the Funding Agreement with residents of the Oakleaf Circle Road Zone of Benefit #13 to provide funding in addition to the annual benefit assessment in the amount of \$2,960 for a road maintenance and repair project; and authorize the Chairman of the Board to sign the attached budget transfer increasing revenue and expenditures by \$2,960 for the Oakleaf Circle Road Zone of Benefit #13. The funds will be used for a specific road maintenance project to be completed in September of this year. | | | | |
| | | el. Leura A Hel 8/30/06 | | |
| CAO RECOMMENDATIONS: Recommend approval. Laure & Hell 8/30/06 | | | | |
| Financial impact? (x) Yes () No Funding Source: () Gen Fund (x) Other | | | | |
| BUDGET SUMMARY: | | Other: Donations | | |
| Total Est. Cost \$23,8 | 858.00 | CAO Office Use Only: | | |
| Funding | | 4/5's Vote Required (>) Yes () No | | |
| Budgeted \$20,898.00 | | Change in Policy () Yes () No | | |
| New Funding* \$2,960.00 | | New Personnel () Yes (4) No | | |
| Savings | | CONCURRENCES: | | |
| Other | | Risk Management | | |
| Total Funding \$23,8 | 858.00 | County Counsel | | |
| Change in Net County Cost | | Other | | |
| *Explain Budget Transfer to add new funding from donations. | | | | |
| BOARD ACTIONS: | | | | |
| | | | | |
| Vote: Unanimous Or | | by certify that this is a true and correct copy of | | |
| Ayes: | | ion taken and entered into the minutes of the of Supervisors | | |
| N | | | | |
| Abstentions: | | | | |
| Absent: | Attest | : Cindy Keck, Board of Supervisors Clerk | | |
| Rev. 04/05 | By: | | | |



MAINTENANCE DIVISION: 2441 Headington Road Placerville CA 95667 Phone: (530) 642-4909 Fax: (530) 642-9238 RICHARD W. SHEPARD, P.E. Director of Transportation

Internet Web Site: http://co.el-dorado.ca.us/dot MAIN OFFICE: 2850 Fairlane Court Placerville CA 95667 Phone: (530) 621-5900 Fax: (530) 626-0387



August 23, 2006

Board of Supervisors 330 Fair Lane Placerville, California 95667

Title: Oakleaf Circle Road Zone of Benefit #13 Road Maintenance and Repair Funding Agreement

Meeting Date: September 12, 2006

District/Supervisor: District 2, Supervisor Helen Baumann

Dear Members of the Board:

Recommendations:

The El Dorado County Department of Transportation recommends the Board of Supervisors:

- 1. approve and authorize the Chairman to sign the Funding Agreement with residents of the Oakleaf Circle Road Zone of Benefit #13 to provide funding in addition to the annual benefit assessment in the amount of \$2,960 for a road maintenance and repair project; and
- authorize the Chairman of the Board to sign the attached budget transfer increasing revenue and expenditures by \$2,960 for the Oakleaf Circle Road Zone of Benefit #13. The funds will be used for a specific road maintenance project to be completed in September of this year.

Reasons for Recommendations:

On April 30, 1985 your Board adopted Resolution No. 90-85 forming the Oakleaf Circle Zone of Benefit No. 13 within County Service Area 9 to provide road improvement and maintenance services within the zone boundaries. Funding for the services is provided through a benefit assessment on each parcel of real property within the zone. The total annual assessment for the zone is \$7,980.

The cost of labor and materials has increased such that the benefit assessment does not supply sufficient revenue to adequately maintain the 2.16 miles of road within the zone. The zone of benefit Advisory Committee has been advised of the process that is required to increase the benefit assessment; however no increase could be realized through an increased benefit assessment unit fiscal year 2007/2008. Zone residents wish to complete

El Dorado County Board of Supervisors Oakleaf Circle Zone of Benefit #13 – Road Maintenance and Repair Funding Agreement #06-1154 Meeting Date: September 12, 2006 Page 2 of 2

a road maintenance project this year for which the quoted price exceeds the funds available in their budget. In order to complete the project, some of the residents expressed an interest in contributing additional funds. County Counsel assisted the Department of Transportation in developing the attached Funding Agreement that facilitates the donation of funds by zone residents toward a specific road maintenance project.

There are fifteen residents who contributed funds for a total contribution of \$2,960. In order to expedite the signature process, County Counsel permitted signatures by each contributor on individual signature pages. The Board Chairman is requested to sign the first signature page as marked.

Fiscal Impact:

Upon approval by the Board, \$2,960 will be added to the fiscal year 2006/2007 estimated revenues for the Oakleaf Circle Road Zone of Benefit #13. The amount budgeted for road maintenance in the zone in fiscal year 2006/2007 will also be increased by the \$2,960 bringing total expenditures to \$23,858.00.

Net County Cost:

There is no cost to the County General Fund.

Action to be Taken Following Approval:

- 1. The Board Chairman will sign two originals of the Funding Agreement.
- 2. The Board Clerk will forward two copies of the fully executed Agreement to the Department of Transportation for further processing.
- 3. The Board Chairman will approve and sign the budget transfer included with this letter.

Sincerely,

Richard W. Shepard, Þ. E. Director of Transportation

RWS: esz Attachment(s)

Contract #: AGMT 06-1154 Agenda Log #2048

Road Maintenance and Repair Funding Agreement

CONTRACT ROUTING SHEET

| PROCESSING DE | PARTMENT: | DONOR | | |
|---|---|---|---|---------------|
| Department: | Transportation | Name: | Oakleaf Circle of Benefit # 13 | n |
| Dept. Contact: | Tim Prudhel/Michele Smith | <u>h</u> | Mary Schneide | |
| Phone: | x5974 / x4937 | Address: | 5370 Oakleaf C | ircle |
| Department Head | . 0 | | Placerville, Cali | |
| Signature: | J. Charles 07-14-06 | Phone: | (530) 644-4312 | <u>0</u> |
| | Tim C. Prudhel Contract Services Officer | | | |
| CONTRACTING D | EPARTMENT: Transportation | on | | - : ? |
| | uman Resources requiremen | | N/A No: | |
| COUNTY COUNSE Approved: Approved: | EL: (must approve all contrac Disapproved: [Disapproved: [| Date: 8/7/00 | By: D.Lindonid | |
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| Diakaa Sanuard to | Risk Management upon ap | proval | | <u> </u> |
| | | User Code: | | ر |
| RISK MANAGEME | NT: (All contracts and MOUs Disapproved: Disapproved: | except boilerpl Date: $\underline{\delta}/\underline{1}/\underline{0}$ | ate grant fundin a By: | agreements) |
| Approved. | | | | 3 |
| Approved | | | | Ne C |
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| AUDIT | OR / CONTROLLER'S | USE | | | TION TRANSFER (29130 GOV. CODE) | TO BE COMPLETED I | BY THE DEPARTMENT |
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| CODE BY | | | | ÓEPARTMENT (| DR AGENCY NAME | TRANSACTION CODE TOTAL * | 013 |
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| 8 | 28-06 DATE | | 40 | uth ye | | Refu | PAGE OF |
| A | BUDGET TRANSFER I | REMOVE REQUEST MUS | THE GOLD COPY | ORMATION BELOW, W AND SUBMIT COMPLE WO LINES, NOT EXCEE | TH JUSTIFICATION NARRATIVE OR ATTAC TED REQUEST TO THE AUDITOR / CONTR D TWENTY SIX LINES, AND USE AN "ODD / " 011 = INCREASE IN APPROPR " 012 = DECREASE IN APPROPR | OLLER'S OFFICE. AND EVEN [®] NUMBERED TRANS LIATION / BOS APPROVED | ACTION CODE * |
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| 13 REVIEWED FOR HAT BY JOE HABN, C.P.A. AUDITOR /CONTROLLER DATE AMPROVED AND SO ORDERED THAT THE ABOVE TRANSFERS BE MADE (AS REQUESTED OR AMENDED) AND INCORPORATED IN THE MINUTES OF THIS MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO | | | | | | | |
| | 6 min | iller | 0 81 | 30/06 | | | |
| | CHIEF ADMINISTRATI | VE OFFICE - A | | daté 30/06 | SIGNATURE: CHAIRMA | N, BOARD OF SUPERVISORS | DATE |
| | CHIEF ADMINIS | | | DATE | | OARD OF SUPERVISORS | |
| | DISTR | BUTION: WHI | TE - BOS / YELL | OW - AUDITOR / PINK | - CHIEF ADMINISTRATIVE OFFICE / GOLD | - DEPARTMENT | |

OFFICE OF COUNTY COUNSEL INTER-DEPARTMENT MEMORANDUM

TO: Tim Prudhel, Department of Transportation

FROM: Dave Livingston, Deputy County Counsel

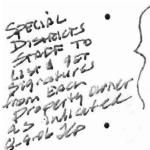
RE: Oakleaf Circle Road Zone of Benefit – Funding Agreement

DATE: August 7, 2006

I have reviewed the Road Maintenance and Repair Project Funding Agreement for the Oakleaf Circle Road Zone of Benefit #13. The only comment I have is that the agreement should make clear that the donors are the actual residents of the zone, not the zone itself. To that end, I suggest the following revisions:

1

Change "DONOR" to "DONORS" throughout the agreement and change subjectverb agreement accordingly.



In the signature block, list and get signatures from each individual property owner that intends to donate money pursuant to the agreement. And for any donor that is a member of the zone advisory committee, don't refer to them as such - I want to retain the distinction between the zone (which is a public entity) and the property owners that live in the zone.

Add language indicated on page 2 of the draft agreement. - Char 2- 206

Please do not hesitate to contact me if you have any further questions.

DAL

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Also addes Convers Alministerer, Counterpress, effective date & REGUESTING Depr Concorrence por talephone can to DAL 8.4.06. Sep

ORIGINAL

OAKLEAF CIRCLE ROAD ZONE OF BENEFIT # 13

ROAD MAINTENANCE AND REPAIR PROJECT FUNDING AGREEMENT

THIS AGREEMENT, entered into by and between the County of El Dorado, a public entity, (hereinafter "DONEE") and the residents of the Oakleaf Circle Road Zone of Benefit # 13 within County Service Area #9 (hereinafter "DONORS").

RECITALS

- 1. The parties agree that road work contemplated by this Agreement is in the public interest; and
- 2. Oakleaf Circle at the location of the contemplated road work is a public road and is maintained by the Oakleaf Circle Road Zone of Benefit; and
- 3. The DONORS listed above desire to donate to the County of El Dorado the approximate maximum sum of \$2,960 (two thousand, nine hundred and sixty dollars) for the express purpose of accomplishing the road work described below. The donation is a gift to the County of funds.

PROJECT DESCRIPTION

The road maintenance and repair work described herein will be performed by a licensed contractor and is subject to all applicable requirements for public works, including the payment of prevailing wages. The Oakleaf Circle Road Zone of Benefit road maintenance and repair work described herein shall consist of the following:

 removal of failed pavement and replacement with asphalt concrete, compacted, to existing grade in seven (7) areas on Oakleaf Circle and one (1) area on Oakleaf Court as marked in the field; and

- cleaning of debris from ditches and grading of road edges for proper drainage on Oakleaf Circle; and
- 3. cleaning of eighteen (18) culverts in various locations on Oakleaf Circle as marked in the field; and
- 4. cleaning the Oakleaf Circle road surface thoroughly with high velocity blowers; and
- applying geo-fabric patch and placing 5/16 inch by no. 8 double chip seal over a 9,000 square feet of area on Oakleaf Circle; and
- 6. cleaning and sweeping road surface seven (7) days after cure.

The location of this road work shall be on Oakleaf Circle and Oakleaf Court in the Oakleaf Circle Road Zone of Benefit. The exact location of repairs will be marked in the field by a road zone representative prior to the start of work.

PROJECT COSTS

The estimated maximum cost of the project is \$22,176 (twenty-two thousand one hundred and seventy six dollars). Funds provided by the DONORS will be used to pay for a portion of the labor, materials and equipment costs to complete the work described herein.

Funding received from DONORS is a gift/donation, not a loan, and will not be refunded or reimbursed or credited against any taxes or assessments that are due now or will become due in the future. If for whatever reason this project is not completed before November 1, 2006 ALL donations will be returned to the DONORS.

All funds donated for this project shall be deposited in cash with the Department of Transportation prior to the commencement of work. The funds will be held in the separate operating account specifically identified for the Oakleaf Circle Road Zone of Benefit #13. The account will be interest bearing and established with the County Auditor upon receipt of cash deposit.

PROJECT DATE

This project will take place during fiscal year 2006/2007 upon full execution of a contract with a qualified contractor.

MAINTENANCE

The newly conditioned portion of Oakleaf Circle will remain under the control and responsibility of the Oakleaf Circle Road Zone of Benefit to maintain at its discretion.

The road work done pursuant to this Agreement shall not vest in the DONORS any greater rights to travel Oakleaf Circle than exist in the public, and do not commit the County to any duty of maintenance under the terms of this Agreement, or as a condition of the gift made.

CONTRACT ADMINISTRATOR

The County Officer or employee with responsibility for administering this Agreement is Tom Celio, Deputy Director, Maintenance, Department of Transportation, or successor.

EXECUTION IN COUNTERPARTS

This Agreement may be executed in one or more counterparts, each of which shall be deemed to be an original instrument and each of which shall have the force and effect of an original and all of which together shall constitute one and the same instrument.

Requesting Department Concurrence:

By: _

Richard W. Shepard, P.E. Director of Transportation Dated: _____

COUNTY OF EL DORADO

| Ву: | Dated: |
|---|--------------------------|
| Board of Supervisors "Donee" | |
| Attest: Cindy Keck Clerk of the Board of Supervisors | |
| By: Deputy Clerk | Dated: |
| DONORS | |
| 5y Man Ine Ahrein Mary Schheider | Dated 8-16-06 |
| By Oscar Snyder, Jr. | Dated |
| By Peggy Leddy | Dated |
| By Janice Douglass | Dated |
| By Dennis Youngdahl | Dated |
| Oakleaf Circle Road Zone of Benefit # 13 Road Maintenance and Repair Project | Page 4 of 5 AGMT 06-1154 |

| By Rich Vassar | Dated |
|---|--------------------|
| By Suzanne Groth | Dated |
| By Pat Woolston | Dated |
| By Kathy Libicki | Dated |
| By Robert Matranga | Dated |
| By John Rubke | Dated |
| By Billie Hegglin | Dated |
| By John LaGrou | Dated |
| By Joyce Lang | Dated |
| By Janet Bath | Dated |
| By LeeAnn Galbraith | Dated |
| Oaklaaf Circle Road Zone of Renefit # 1 | 3 Page 5 of 5 AGMT |

COUNTY OF EL DORADO

| Ву: | Dated: | |
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| Board of Supervisors "Donee" | | |
| Attest: Cindy Keck Clerk of the Board of Supervisors | | |
| By: Deputy Clerk | Dated: | |
| DONORS | | |
| By Mary Schneider | Dated | |
| By Oscar Snyder, Jac | Dated_ 8 - 21.04 | |
| By Peggy Leddy | Dated | |
| By Janice Douglass | Dated | |
| By Dennis Youngdahl | Dated | |
| Oakleaf Circle Road Zone of Benefit # 13 Road Maintenance and Repair Project Funding Agreement | Page 4 of 5 | AGMT 06-1154 |

COUNTY OF EL DORADO

| Ву: | Dated: |
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| Board of Supervisors "Donee" | |
| Attest: Cindy Keck Clerk of the Board of Supervisors | |
| By: Deputy Clerk | Dated: |
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| By Jeggy Leddy | Dated 3/21/06 |
| By Janice Douglass | Dated |
| By Dennis Youngdahl | Dated |
| Oakleaf Circle Road Zone of Benefit # 13 Road Maintenance and Repair Project | Page 4 of 5 AGMT 06-1154 |

COUNTY OF EL DORADO

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| By Dennis Youngdahl | Dated | |
| Oakleaf Circle Road Zone of Benefit # 13 Road Maintenance and Repair Project | Page 4 of 5 | AGMT 06-1154 |

COUNTY OF EL DORADO

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| Board of Supervisors "Donee" | | |
| Attest: Cindy Keck Clerk of the Board of Supervisors | | |
| By: Deputy Clerk | Dated: | |
| DONORS | | |
| By Mary Schneider | Dated | |
| By Oscar Snyder, Jr. | Dated | |
| By Peggy Leddy | Dated | |
| By Janice Douglass | Dated | |
| By Dennis Youngdahl | Dated <u>157963</u> | |
| Oakleaf Circle Road Zone of Benefit # 13 Road Maintenance and Repair Project | Page 4 of 5 | AGMT 06-1154 |

| By | Rich Vassar Vasser | Dated8/16/06 |
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| By | Suzanne Groth | Dated |
| Ву | Pat Woolston | Dated |
| By | Kathy Libicki | Dated |
| By | Robert Matranga | Dated |
| By | John Rubke | Dated |
| By | Billie Hegglin | Dated |
| Ву | John LaGrou | Dated |
| By | Joyce Lang | Dated |
| By | Janet Bath | Dated |
| By | LeeAnn Galbraith | Dated |
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| By_ | | Dated |
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| By | Pat Woolston | Dated |
| By | Kathy Libicki | Dated |
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| Ву | Rich Vassar | Dated |
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| By | Suzanne Groth | Dated |
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| By | Robert Matranga | Dated |
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| By Rich Vassar | Dated |
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| By Suzanne Groth | Dated |
| By Pat Woolston | Dated |
| By Kathy Libicki | Dated |
| By Robert Matranga | Dated |
| By John Rubke | Dated |
| By Billie Hegglin | Dated |
| ByJohn LaGrou | Dated 18 AUGUST 2006 |
| By Joyce Lang | Dated |
| By Janet Bath | Dated |
| By LeeAnn Galbraith | Dated |
| | |

AGMT 06-1154

| Ву | Rich Vassar | Dated |
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| By | Suzanne Groth | Dated |
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